

CITY COUNCIL, CITY OF LODI
 CARNEGIE FORUM, 305 WEST PINE STREET
 WEDNESDAY, APRIL 17, 1991
 7:30 P.M.

ROLL CALL Present: Council Members - Pennino, Pinkerton,
 Sieglock, Snider (arrived 7:40 p.m.), and
 Hinchman (Mayor)

 Absent: Council Members - None

 Also Present: City Manager Peterson, Assistant City
 Manager Glenn, Public Works Director Ronsko,
 City Attorney McNatt, and City Clerk Reimche

INVOCATION The invocation was given by Pastor Vernon Janzen, Vinewood
 Community Church.

PLEDGE OF The Pledge of Allegiance was led by Mayor Hinchman.
 ALLEGIANCE

PRESENTATIONS

PRESENTATION BY FRIENDS
 OF THE LIBRARY

Friends of the Library Program Chairman Robin Knowlton made
 a symbolic presentation of a sound system for the library
 to Library Board of Trustees Chairman C. M. Sullivan.

RESOLUTION DECLARING "DESIGNATED
 DRIVER WEEK" PRESENTED

On motion of Council Member Snider, Sieglock second, the
 City Council adopted a resolution recognizing "Designated
 Driver Week". The resolution was then presented to Lodi
 Police Officer Ernie Nies.

CONSENT CALENDAR In accordance with report and recommendation of the City
 Manager, Council, on motion of Council Member Pennino,
 Sieglock second, approved the following items hereinafter
 set forth.

* * * * *

CLAIMS CC-21(a) Claims were approved in the amount of \$1,760,081.50.

MINUTES No minutes were presented for City Council approval.

PLANS AND SPECIFICATIONS
FOR HUTCHINS STREET IMPROVEMENTS,
PINE STREET TO LOCKEFORD STREET
APPROVED

CC-12.1(c) The City Council approved the plans and specifications for Hutchins Street improvements, Pine Street to Lockeford Street, and authorized advertising for bids.

This project will install a 30" storm drain pipe in Hutchins Street from Pine Street to Elm Street, place a pavement reinforcing fabric and an asphalt concrete overlay on Hutchins Street from Pine Street to Lockeford Street, install six wheelchair ramps, and other miscellaneous and related works. The storm drain installation and the paving operation for this project will require that Hutchins Street be closed from Pine Street to Lockeford Street.

CONTRACT CHANGE ORDER -
WHITE SLOUGH WATER POLLUTION
CONTROL FACILITY CAPACITY
EXPANSION IMPROVEMENTS,
12751 NORTH THORNTON ROAD

CC-90 This information was given to the City Council in accordance with the Contract Change Order policy approved by Resolution No. 85-72. One of the requirements of this policy is that we inform the City Council of all change orders over \$25,000.

Contract change order No. 3, approved by the City Manager, was in the amount of \$176,296, which is 1.84% of the contract. The work includes the removal and replacement of the heating, ventilating, and air conditioning system and other required modifications to the administrative building. The time of completion was not affected by this change order.

A recap of change orders to date is as follows:

	Number of Major Items Included	Amount of Total Change Order
Change Order No. 1	6	(6,530)
Change Order No. 2	4	17,244
Change Order No. 3	2	<u>178,296</u>
Total Contract Change Orders		\$189,010

The original contract amount was \$9,681,218. The contract amount including change orders is \$9,870,228.

Continued April 17, 1991

PURCHASE OF ANIMAL CONTROL
TRUCK CAB AND CHASSIS

RESOLUTION NO. 91-70

CC-12(d) The City Council adopted Resolution No. 91-70 approving the
CC-300 purchase of an animal control truck cab and chassis for the
Police Department from Hayward Dodge, Hayward, California,
in the amount of \$16,872.79.

Funds to purchase an animal control truck cab and chassis
for the Police Department were approved through a special
allocation dated March 4, 1991 and specifications were
approved by the City Council on March 20, 1991. Bids were
opened on April 3, 1991 and one bid was received.

<u>Name of Bidder</u>	<u>Total Bid</u>
Hayward Dodge, Hayward	\$16,872.79

ACCEPTANCE OF IMPROVEMENTS IN
SUNWEST UNIT NO. 9 BOUNDED BY LOWER
SACRAMENTO ROAD ON THE WEST, ST. MORITZ
DRIVE ON THE NORTH, INTERLAKEN DRIVE ON
THE EAST, AND THE CITY LIMITS ON THE SOUTH

RESOLUTION NO. 91-71

CC-46 The City Council adopted Resolution No. 91-71 accepting the
CC-300 subdivision improvements included in Sunwest Unit No. 9, as
filed on September 26, 1989, in Volume 30, Page 5, Book of
Maps and Plats, San Joaquin County Records.

Improvements in Sunwest Unit No. 9 have been completed in
substantial conformance with the requirements of the
Subdivision Agreement between the City of Lodi and Chris R.
Keszler, LaVeta Keszler, Gary Keszler, Marlene Keszler,
A. Fred Baker, G. Camy Bader, John Graves, and Tena Graves,
dated September 6, 1989, and as specifically set forth in
the plans and specifications approved by the City Council.

The streets to be accepted are as follows:

<u>STREETS</u>	<u>LENGTH IN MILES</u>
Brittany Court	0.08
TOTAL NEW MILES OF CITY STREETS	0.08

ACCEPTANCE OF IMPROVEMENTS IN
SUNWEST UNIT NO. 10, BOUNDED BY
LOWER SACRAMENTO ROAD ON THE WEST,
ST. MORITZ DRIVE ON THE SOUTH,
INTERLAKEN DRIVE ON THE EAST, AND
UNDEVELOPED LAND ON THE NORTH

RESOLUTION NO. 91-72

CC-46
CC-300

The City Council adopted Resolution No. 91-72 accepting the subdivision improvements included in Sunwest Unit No. 10, as filed on September 26, 1989, in Volume 30, Page 6, Book of Maps and Plats, San Joaquin County Records.

Improvements in Sunwest Unit No. 10 have been completed in substantial conformance with the requirements of the Subdivision Agreement between the City of Lodi and Chris R. Keszler, LaVeta Keszler, A. Fred Baker, G. Camy Bader, John Graves, Tena Graves, Gary Keszler, and Marlene Keszler, dated September 14, 1989, and as specifically set forth in the plans and specifications approved by the City Council.

The streets to be accepted are as follows:

<u>STREETS</u>	<u>LENGTH IN MILES</u>
Grenoble Court	0.09
Interlaken Drive	<u>0.00</u>
TOTAL NEW MILES OF CITY STREETS	0.09

PUBLIC HEARING SET TO CONSIDER
AN AMENDMENT TO THE REFUSE FRANCHISE
AGREEMENT TO PROVIDE FOR ADDITION OF
INDUSTRIAL REFUSE SERVICE

CC-22(b)
CC-90

The City Council set a public hearing for May 1, 1991 to discuss an amendment to the Refuse Franchise Agreement to provide for the addition of industrial customers.

On Wednesday, February 20, 1991, City Council considered the introduction of an ordinance to amend Chapter 13.16 - Solid Waste - of the City Code. This ordinance was tabled pending further review and recommendation on the matter by the City of Lodi Solid Waste Management Task Force.

The Task Force, at its regular meeting of Monday, March 25, 1991, voted to recommend that City Council approve the proposed amendment.

CLOSED SESSION

At approximately 7:43 p.m., the City Council adjourned to Closed Session regarding:

Continued April 17, 1991

CC-200(d) Litigation - Celiz/Lovell v. City of Lodi (Celiz v. Titcomb, Griffen, City of Lodi Superior Court Case No. 227183; and Lovell v. Celiz, Titcomb, Giffen and City of Lodi Superior Court Case No. 227151)

At approximately 8:03 p.m., the City Council reconvened in Regular Session. No formal action was taken by the City Council on the matter.

COMMENTS BY CITY
COUNCIL MEMBERS

The following comments were received under the "Comments by City Council Members" segment of the agenda:

CONCERNS EXPRESSED REGARDING
THE INTERSECTION OF CHEROKEE
LANE AND HALE ROAD

CC-16 Council Member Sieglock expressed his concern regarding the
CC-48(a) intersection of Cherokee Lane and Hale Road and asked that
the City look into what could be done to mitigate this
situation and suggested the installation of signals with
crosswalk buttons.

COMMENTS REGARDING LODI
BOYS' AND GIRLS' CLUB

Council Member Sieglock applauded the Lodi Board of Realtors for their recent, very generous donation to the Lodi Boys' and Girls' Club and announced that on May 13, 1991, the First Lady of the State, Mrs. Pete Wilson, will be in Lodi for a breakfast being held at Hutchins Street Square which will be a kickoff for a capital campaign fund-raising effort for the Lodi Boys' and Girl's Club.

COUNCIL MEMBER SIEGLOCK WISHED
HIS WIFE HAPPY BIRTHDAY

Council Member Sieglock wished his wife Happy Birthday.

CONCERNS EXPRESSED REGARDING
EARTH DAY PROPONENTS

Mayor Pro Tempore Pinkerton urged Earth Day proponents to use moderation and common sense in their efforts.

LODI LIFE MISSION PROJECT
UPDATE REQUESTED

CC-126 Council Member Snider asked that the City Council be given
CC-55 an update on the progress of the Lodi Life Mission.

COMPLAINTS RECEIVED REGARDING
DISTRIBUTION OF "JUNK" MERCHANDISERS

CC-16 Following an inquiry by Mayor Hinchman regarding the distribution of "junk" merchandisers, citizens were urged to call the City Manager's office if they are encountering problems of this kind.

CANCER SOCIETY'S DAFFODIL
DAYS A SUCCESS

Mayor Hinchman applauded this community for its participation in the Cancer Society's Daffodil Days indicating that \$5,800 had been raised in this effort.

STAFF REQUESTED TO CHECK WITH
LAS VEGAS REGARDING ITS TRAFFIC
CONTROLS IN SCHOOL ZONES

CC-16 Mayor Hinchman asked staff to check with the City of Las
CC-48(a) Vegas as to what traffic controls had been put in place to slow traffic in school zones to 15 miles per hour.

ATTENDANCE AT CLEMENTS
STAMPEDE URGED

Mayor Hinchman urged the citizens of this community to attend the Clements Stampede.

PUBLIC TRANSPORTATION

CC-50(b) Mayor Hinchman referred to a recent newspaper article which appeared in the Lodi News Sentinel regarding expanded public transportation in this area and cautioned that the Stockton Metropolitan Transit (SMART) District provider is asking for an expanded share of tax monies being collected to provide such service.

UPDATE ON TURNER ROAD TRAFFIC
CONTROLS IN AREA OF LODI LAKE
REQUESTED

CC-16 Following an inquiry by Council Member Pennino, staff gave
CC-48(a) an update on what has been done on Turner Road in the area of the entrance/exit to Lodi Lake Park.

COMMENTS BY THE
PUBLIC ON NON
AGENDA ITEMS

The following comments were received under the "Comments by the public on non-agenda items" segment of the agenda:

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ANNUAL SPRING CLEAN UP
WEEK ANNOUNCED

Annette Murdoca, California Waste Removal Systems, announced that the Annual Spring Clean Up Week will be held May 6 - 10, 1991 this year and that Saturday, May 4, 1991 will be Dollar Dump Day at the transfer station.

CONCERNS EXPRESSED REGARDING
CHEROKEE LANE AND HALE ROAD
INTERSECTION

CC-16
CC-48(a)

Marla Donovan, 827 Lloyd Street, Lodi addressed the City Council expressing her concerns regarding the intersection of Cherokee Lane and Hale Road and asked that a crossing signal be installed.

LODI LAKE CLEAN UP DAY
ANNOUNCED

Mr. Scott Essin, Parks Superintendent announced that Sunday, April 21, 1991 will be Lodi Lake Cleanup Day (9:00 a.m to noon) and urged community participation.

PUBLIC HEARINGS

Notice thereof having been published and posted according to law, an affidavit of which publication and posting is on file in the office of the City Clerk, Mayor Hinchman called for the Public Hearing regarding weed abatement proceedings involving various parcels within the City of Lodi to allow property owners having objections to the proposed removal of weeds to be heard and given due consideration.

PUBLIC HEARING REGARDING WEED
ABATEMENT PROCEEDINGS INVOLVING
VARIOUS PARCELS WITHIN THE CITY OF LODI

RESOLUTION NO. 91-74

CC-24(b)
CC-300

The City Council was reminded that at the City Council meeting of February 20, 1991 the Lodi City Council adopted Resolution No. 91-30 - Resolution Declaring Weeds a Public Nuisance and Initiating Abatement Proceedings - Various Parcels, Lodi, California. Pursuant to State of California Government Code Section 29500 et seq., a Notice to Destroy Weeds and Remove Rubbish, Refuse, and Dirt, was published, mailed under Declaration of Mailing to each of the involved property owners, and posted on the subject properties as determined by the City Attorney and the Fire Inspector. The purpose of this public hearing is for all property owners having any objections to the proposed abatement to be heard and given due consideration.

We have been advised by the Fire Department that since the adopting of Resolution No. 91-30 several property owners

have abated the weeds on their property. A list of the parcels that are not in compliance following a final inspection by the Fire Inspector prior to the City Council meeting was presented for City Council review.

Following the public hearing and receipt of public testimony regarding the matter, it would be in order for the Council to adopt a Resolution Overruling Objections and Proceeding with Abatement.

There being no persons in the audience wishing to address the City Council regarding the matter, the public portion of the hearing was closed.

On motion of Council Member Snider, Sieglock second, the City Council adopted Resolution No. 91-74 entitled, "Resolution Overruling Objections and Proceeding with Abatement".

PUBLIC HEARING REGARDING APPEAL
OF J. J. S. WAREHOUSE TO THE NOTICE
OF FIRE HAZARD AND ORDER TO ABATE
ISSUED BY THE LODI FIRE DEPARTMENT ON
SEPTEMBER 28, 1990 CONTINUED

CC-24(a)

Notice thereof having been published according to law, an affidavit of which publication is on file in the office of the City Clerk, the Mayor called for the continued public hearing to consider the appeal of J. J. S. Warehouse to the Notice of Fire Hazard and Order to Abate issued by the Lodi Fire Department on September 28, 1990.

The City Council was advised that this appeal was to be heard at the regular City Council meeting of December 19, 1991. It was continued until March 20, 1991 and again until April 17, 1991. Mr. Anton Sitter, his attorney Herb Horstmann and the Fire Department have met on several occasions and have corresponded by mail in an attempt to resolve the issues regarding J.J.S. Warehouses storage of flammable and combustible liquids. Fire Chief Hughes met with Mr. Sitter on April 9, 1991 in a final attempt to identify ways in which J.J.S. Warehouse can comply with the Uniform Fire Code. Mr. Sitter asked that Chief Hughes provide a letter clearly outlining the requirements so that he (Sitter) can decide whether to proceed with his appeal or to drop it. Mr. Sitter also asked that the Public Hearing be continued from this agenda for placement on a future agenda. Since Fire Marshal Raddigan will not be available on an agenda night until May 15, 1991, staff requested that the Public Hearing be continued until that time.

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On motion of Mayor Hinchman, Snider second, the City Council continued the subject public hearing to May 15, 1991.

PLANNING COMMISSION City Manager Peterson presented the following Planning
REPORT Commission Report of the Planning Commission Meeting of
April 18, 1991.

CC-35

ITEMS OF INTEREST

The Planning Commission:

- a. Approved one year extension of Randall Heinitz' Tentative Parcel Map to create three lots from two lots at 60 and 70 North Lower Sacramento Road in an area zoned R-1, Single-Family Residential.
- b. Conditionally approved the request of Wennell Mattheis Bowe Inc. on behalf of Twin Arbors Athletics Club for a Use Permit to expand and remodel an existing sports club at 2040 Cochran Road in an area zoned R-1, Single-Family Residential. The plans have been extensively redesigned at the request of the neighborhood residents.
- c. Continued consideration of the following items until 7:30 p.m., Monday, April 22, 1991 at the request of the applicants:
 1. Request of Terry Piazza, Baumbach & Piazza Consulting Engineers on behalf of Daryl Geweke for approval of a parcel map to create two lots from one lot at 1150 South Beckman Road in an area zoned M-1, Light Industrial.
 2. Request of Dan White for a variance to reduce the sideyard setback requirement from five feet to three feet to permit construction of a two-story addition at 1621 Holly Drive in an area zoned R-2, Single-Family Residential.
- d. Continued consideration of the following item until 7:30 p.m., Monday, May 6, 1991 at the request of the applicant:

Request of City of Lodi electric Utility Department for a temporary office trailer at the Municipal Service Center (MSC), 1331 South Ham Lane in an area zoned Public.
- e. Approved for a one-year period the request of Fred Muther to install a ship-to-shore container to be used for storage

at 208 E. Pine Street in an area zoned C-2, General Commercial.

f. Set the following request of Tim Mattheis, Wenell Mattheis Bowe Inc. on behalf of Bob Spiekerman and Carol Muller:

1. for approval of the tentative subdivision map of a 7-lot single-family residential subdivision to be located at 535 South School Street in an area zoned R-1*, Single-Family Residential - Eastside.
2. to certify the filing of a Negative Declaration by the Community Development Director as adequate environmental documentation on the above project.

COMMUNICATIONS
(CITY CLERK)

ABC LICENSE
APPLICATIONS

CC-7(f) City Clerk Reimche presented an application for Alcoholic Beverage Control License which had been received from California Gourmet Sausage Company, Inc., 620 South Central Avenue, Lodi, Off Sale Beer and Wine, Original License.

RESIGNATION FROM SENIOR
CITIZENS COMMISSION

CC-2(i) City Clerk Reimche presented a letter of resignation from the Lodi Senior Citizens Commission which had been received from Violet Stenson.

On motion of Council Member Snider, Pennino second, the City Clerk was requested to do the required posting.

REGULAR CALENDAR

RENOVATION PLANS FOR HUTCHINS
STREET SQUARE AUDITORIUM

CC-27(e) City Manager Peterson presented the following letter which had been received from Dennis Bennett, Old Lodi Union High School Site Foundation Chairman, requesting that the City of Lodi "front" the money necessary for the development of plans for the renovation of the auditorium.

The development of Hutchins Street Square during the past twelve years has been a source of pride for the constituents of the greater Lodi area. No other city in

the state can boast the dedication and generosity of our local individuals and businesses alike who claim responsibility for building a facility like Hutchins Street Square.

As chairman of the Old Lodi Union High School Site Foundation, I have been privileged to be part of this metamorphosis and participate in the development of the once abandoned high school.

Each year the Foundation strives to complete another piece of this ten-acre facility. To date, we have added outdoor playing fields, parking facilities, a Fine Arts building and most recently a Senior Complex. We are now ready to address the renovation of the auditorium.

Preliminary discussions with the architects, Wenell, Mattheis and Bowe, have shown the first phase of design to be investigative work, which includes many hours of community review, following with a schematic and preliminary design. The anticipated cost of these services will be approximately \$170,000.00.

The renovation of the auditorium will fill a void in this community as we attempt to retain historical reference while providing the new theatre interior completely state-of-the-art.

We need to begin this work to be successful in selling the project to potential donors of the auditorium fund. Our 'investors' need to visualize what their contributions will provide for the benefit of all Lodi.

Our past relationship with the City has been one of cooperation and we are asking to continue that association with the City fronting the funds for architectural services, with the Foundation assuming the responsibility of coordinating the design efforts and insuring the City a return of their monies.

As always, the Foundation stands ready to work with the City in cooperation with our large cadre of volunteers to complete the task for building Hutchins Street Square.

The City Manager stated that as with past advances, the Foundation will once again ensure the City the ultimate repayment of the amount requested.

City Manager Peterson further advised that the only available source of funding, should this request be approved, is the General Fund Operating Reserve. It has been the City's policy over the years to maintain a balance in this reserve fund in an amount approaching two month's appropriations to carry the City through any unforeseen

fiscal emergency. This would be 16% of the total appropriations. The current balance in this fund stands at 7.5% of the total appropriations, a little less than one month's reserve. One reason for the decline in the percentage of reserve is that during the past few years it has not been possible to transfer to the General Fund Operating Reserve each year sufficient funds to maintain the two month's figure. Another is that at certain times this fund has been tapped to fund negotiated Memorandums of Understanding.

Foundation Chairman Dennis Bennett then addressed the Council regarding the request for funding in the amount of \$170,000 for the development of plans for the renovation of the Hutchins Street Square auditorium and responded to questions regarding the matter as were posed by the City Council.

On motion of Council Member Snider, Hinchman second, the City Council directed the matter to staff to seek out alternative methods for funding the request and asked that the matter be placed on the May 1, 1991 City Council agenda.

RECESS

Mayor Hinchman declared a five-minute recess and the meeting then reconvened at approximately 9:20 p.m.

ORDINANCE PERTAINING TO THE
RESTRICTION OF BICYCLING AND
ORGANIZED TRACK MEETS/EVENTS
IN THE NATURE AREA AT LODI LAKE PARK

ORDINANCE NO. 1510 INTRODUCED

CC-27
CC-149

City Attorney McNatt reminded the City Council of its direction to redraft the ordinance pertaining to restriction of bicycling and organized track meets/events in the Nature Area at Lodi Lake Park which had been reviewed and discussed at the April 3, 1991 meeting.

The new statute would prohibit the riding of bicycles in the Nature Area except upon the main trails, as designated by posted signs. In addition, it would prohibit all organized athletic events except cross country races, and would limit those cross country events to the ones sponsored in the past by such organizations as Lodi High School, Tokay High School, Field and Fair Day, etc.

Addressing the City Council regarding the matter was Parks Superintendent Scott Essin who then responded to questions as were posed by the City Council.

Following a lengthy discussion with various options being reviewed, on motion of Council Member Pennino, Hinchman second, the City Council introduced Ordinance No. 1510,

entitled, "An Ordinance of the Lodi City Council Amending Lodi Municipal Code Chapter 12.12 - Parks - by Adding Thereto a New Section 12.12.255 Entitled 'Lodi Lake Nature Area: Prohibited Activities'". Further, the City Council selected Option 1 as the desired bicycle route and amended the ordinance to include language that "should any included organization under this section fail to conduct a cross-country event during any twelve-month period, consent shall be denied thereafter".

The motion carried by the following vote:

Ayes: Council Members - Pennino, Sieglock, and Hinchman

Noes: Council Members - Pinkerton and Snider

Absent: Council Members - None

KETTLEMAN LANE (STATE HIGHWAY 12)
AND HUTCHINS STREET - TRAFFIC STUDY

CC-48(a)

The City Council was advised that the Public Works Department has received a number of recent citizen and Police Department complaints concerning the traffic hazards created due to the congestion at the AM-PM Mini-Mart located at the northwest corner of Hutchins Street and Kettleman Lane. The sudden rise in congestion is due to the volume of traffic using the station, presumably because of the fuel prices. This Mini-Mart's prices for gas have been reported as the lowest in the state. The concerns expressed in the complaints received consist of:

- ° Drivers attempting to enter the congested Mini-Mart are overflowing into the roadway blocking traffic and the sidewalk.
- ° Eastbound drivers wishing to enter the Mini-Mart that are delayed by backed up vehicles in the left turn lane are driving eastbound in the westbound (opposing) traffic lane to enter the Mini-Mart.
- ° Pavement arrows and signs are needed in the Mini-Mart lot to promote coordinated movement.
- ° Hazard created by drivers northbound on Hutchins Street making U-turns at Rimby Avenue to get in line to enter Mini-Mart from southbound Hutchins Street.
- ° Southbound vehicles on Hutchins Street backed up through Rimby Avenue preventing access.

- ° Hazard created by drivers attempting to make left turns exiting the Mini-Mart from both Hutchins Street and Kettleman Lane.

Engineering staff and the Police Department visited the Mini-Mart and observed many of the problems expressed in the complaints. The following study has been prepared addressing these problems and possible alternatives to correct them.

EXISTING CONDITIONS

- ° Physical Characteristics - This four-legged intersection is controlled by a traffic signal. The traffic signal provides protected left turn movements, as well as protected through movements, from all approaches. U-turns at this intersection are only allowed from the northbound direction. A raised concrete median exists only on the south leg of this intersection. The land use adjacent to the intersection is commercial. All businesses on the corners have direct access from either Kettleman Lane or Hutchins except the southwest corner which has a shared access with the other businesses in the Vineyard Shopping Center. These driveways are far from the intersection and are not affected by this study.
- ° Accident History - In 1988, Public Works staff corresponded with Caltrans regarding the high accident rate observed at the intersection of Hutchins Street and Kettleman Lane. Caltrans indicated that the high accident rate may be due to the increase in traffic volumes and the congestion associated with this rise in volumes. Their study also references the relatively high number of accidents related to the AM-PM Mini-Mart and the installation of raised medians to reduce accidents by restricting left turns except at the intersection.

An updated review of available accident records from 1984 to the present revealed that there have been numerous accidents related to the AM-PM Mini-Mart and that the problem has existed for many years. Of the accidents occurring at the businesses on the corners of this intersection, 89% (24 of 27) were related to the AM-PM Mini-Mart. The

Continued April 17, 1991

remaining 11% (3 of 27) were related to the Savemart Market. These figures are shown in Table I.

Table I

ACCIDENTS RELATED TO	1991 (to Present)	1990	1989	1988	1987	1986	1985	1984	Total
AM-PM Mini-Mart (Northwest Corner)	1	3	7	2	2	3	4	2	24
Savemart Market (Northeast Corner)	1	0	1	0	1	0	0	0	3
Shell Gas Station (Southeast Corner)	0	0	0	0	0	0	0	0	0
OTHER ACCIDENTS (ALL)	2	12	14	17	19	11	16	17	108

NOTE: Southwest corner has no access near the intersection

Table II shows the effect raised medians would have on the reduction of accidents adjacent to the intersection. Raised medians eliminate left turn accidents entering and exiting the businesses adjacent to the intersection as well as head-on and rear-end accidents caused by left turning vehicles. A raised median on the north leg would have eliminated 12 accidents (10 at AM-PM Mini-Mart, 2 at Savemart). A raised median on the west leg would have eliminated 6 accidents related to the AM-PM Mini-Mart and 1 other accident. A raised median on the east leg would have eliminated 1 accident related to the Savemart Market. Extending this median east of Savemart to Lee Avenue would eliminate an additional 8 accidents (1986 to present) related to the Ultramart (Beacon) Gas Station.

Table II

	1991 (to Present)	YEAR							Total
		1990	1989	1988	1987	1986	1985	1984	
North Leg AM-PM Mini-Mart	1	1	4	0	1	1	0	2	10
North Leg Savemart	0	0	1	0	1	0	0	0	2
West Leg AM-PM Mini-Mart	0	1	1	1	1	0	2	1	7
East Leg Savemart	1	0	0	0	0	0	0	0	1
East Leg Beacon	1	2	2	1	1	1	--	--	8

NOTE: Southwest corner has no access near the intersection and median on south leg already exists.

No accidents related to Shell Gas Station at southeast corner.

°

Volumes/Speeds - Traffic counts performed in 1989 show volumes on Hutchins Street and Kettleman Lane are approximately 13,200 and 21,100 vehicles per day, respectively. The current posted speed limit on Kettleman Lane at Hutchins Street is 35 mph. Hutchins Street north of Kettleman Lane is also posted 35 mph and south of Kettleman Lane is posted 45 mph.

ALTERNATIVES

Staff has reviewed some possible alternatives to reduce congestion and accidents related to the AM-PM Mini-Mart. These alternatives are listed below.

Alternative A - Install a raised median on the remaining three legs of the intersection. Caltrans approval is required for medians on Kettleman Lane (State Highway 12).

Advantages

- ° Eliminates left turn and head-on accidents adjacent to the intersection.
- ° Controls access from driveways.
- ° Increases overall safety adjacent to the intersection.

Disadvantages

- ° There may be some opposition by businesses affected by median installation as it restricts access to their property.
- ° To avoid the turning restrictions created by medians, some drivers may choose less desirable routes (i.e., through minor residential areas).

Alternative B - Install a 31-foot "No Parking" zone along the Kettleman Lane frontage of the AM-PM Mini-Mart. A "No Parking" zone already exists along the Hutchins Street frontage.

Advantages

- ° Provides indication of violation to motorists and will aid police enforcement.
- ° May reduce congestion caused by vehicles overflowing from lot.

Disadvantages

- ° May require Police enforcement after initial installation.
- ° Reduces congestion but has minimal effect on accident reduction.

Alternative C - Require the installation of signs and pavement arrows in the Mini-Mart lot to provide a more coordinated movement through the lot.

Advantages

- ° May reduce accidents exiting the lot.
- ° May reduce congestion in the lot.

Disadvantages

- ° Driver compliance necessary to obtain the desired results.

DISCUSSION/RECOMMENDATIONS

The recommendations below only address the problems correctable with the installation of additional traffic control devices. Enforcement from the Police Department is still necessary to supplement the traffic control devices.

Raised Medians - Staff feels that the benefits provided by raised medians exceed the disadvantages and recommends

the installation as long as certain considerations can be met. These considerations are:

- ° Providing sufficient width for U-turns from the left turn lanes at both approaches to Hutchins Street on Kettleman Lane. Due to width of the north leg, U-turns cannot be permitted from southbound Hutchins Street at Kettleman Lane.
- ° Medians should be installed on all of the remaining three legs.

"No Parking" Zone on Kettleman Lane - Staff recommends the installation of a 31-foot "No Parking" zone along the entire Mini-Mart frontage along Kettleman Lane. This will provide notification of stopping violation to motorists and aid enforcement.

Signs and Pavement Arrows in the Mini-Mart Lot - Although this seems like a valid solution to the congestion in the lot, it is heavily dependent on the compliance by customers. The Mini-Mart owner indicated that in the past the lot was signed for access to the pumps from specific directions and it was not successful. Signs alone will not ensure driver compliance. For these reasons, staff does not recommend this alternative.

Any of the work indicated that will impact Kettleman Lane (State Highway 12) is subject to State (Caltrans) approval.

Addressing the City Council regarding the matter were:

- a) Geralo L. Petry, 5421 Alder Glen Court, Carmichael, California representing Atlantic Richfield;
- b) Francis Jolly, resident of the area of Hutchins and Rimby; and
- c) Melissa Harmuth Joshi, State of California, Department of Transportation.

Following discussion with questions being directed to staff and to those who had addressed the City Council regarding the matter, on motion of Council Member Snider, Pennino second, the City Council voted to ask all involved parties (i.e., City of Lodi, CalTrans, Arco, AM-PM Mini-Mart) and residents in the subject area to get together and come back with a recommendation to resolve the problems being encountered.

Continued April 17, 1991

REQUEST FROM SAN JOAQUIN COUNTY
ASKING CITY OF LODI TO PROVIDE
SEWER SERVICE TO COUNTY SERVICE
AREA 31 (CSA 31) LOCATED AT
THORNTON ROAD AND HIGHWAY 12
DENIED

CC-44
CC-51(a)

The City Council was reminded that the Lodi Municipal Code prohibits the City of Lodi from providing sewer service and treating sewage from outside the City limits. This has been a City policy as far back as can be researched. The City Code reads as follows:

13.12.150 CONNECTIONS OUTSIDE CITY

No discharge from facilities or properties outside the limits of the city shall be allowed into the sewerage system (Ord. 1501 Section 1 (Part), 1990)

In February 1981, the City received a request from a firm proposing to develop a roadside service at the southeast quadrant of Thornton Road and Highway 12. The request was made to the City Council asking that the sewer ordinance be changed in order for their sewage to be received and treated by the City's White Slough Water Pollution Control Facility. The decision of the City Council was to not change the ordinance and denied the request.

In March 1983, the City received a similar request from the California Department of Transportation asking the City to provide sewer service to a proposed rest stop being planned for the I-5 offramp at Highway 12. The City denied this request based on the recent Council action and the present sewer ordinance.

In December of 1986, the City received a similar request from San Joaquin County asking the City to provide sewer service and sewage treatment for their proposed CSA 31. At that time, the City of Lodi was in the planning stages of the current expansion project and indicated to the County that we would consider taking this back to the City Council if they (the County) would agree to paying our consultant to study this request. It was felt there were differences between this request and the original request by the private development firm in 1981. The differences were as follows:

1. A public agency was making the request and not a private developer.
2. The timing was such that the design capacity could be increased so facility life would not be reduced because of development of CSA 31.

3. The City also was requiring that the County's CSA 31 be expanded to include all of the developable roadside service zoning at Thornton and Highway 12.

Staff had the same major concerns then as we do now but felt the County did have the right, because of the above differences, to make this request to the City Council.

Presented for Council's review was an abbreviated chronological listing of the major transmittals and requests related to this subject since December of 1986. This exhibit showed the initial request was withdrawn and since that time the request has been reactivated several times. Recently the Regional Water Quality Control Board has required the County to receive a formal position from the City of Lodi before they (the Regional Board) can consider approving alternative ways of providing sewage treatment to CSA 31.

Staff Recommendation

It is the staff's recommendation that the County's request for sewage service be denied. This recommendation is based on the following:

1. Serving outside the City limits would be precedent-setting. We have already received informal requests for sewage service from other property owners in the area and adjacent to our sewer outfall line. Developers have already purchased land near I-5 and north of Highway 12. The City has had requests from developers holding land south of our facility. These requests were turned down.
2. Loss of facility life. The attached Exhibit B shows the projected flows based on a 2% residential growth rate. With the completion of our expansion in October of this year, it will have a capacity of 8.5 million gallons per day (mgd). It is estimated that the 8.5 mgd capacity will provide us with a 16-year life. The ultimate flow of CSA 31 is estimated at 0.25 mgd. If the City elects to serve CSA 31, the facility life will be decreased by 1½ to 2 years.
3. The City will experience a loss of control over land use and types of sewer flows. Within the City limits, we have strict control over building, zoning and land use.

We would not have this control in CSA 31. Where we have a problem with sewage from any one commercial or industrial firm in the City of Lodi, we can simply shut the water off. In CSA 31, the County would be responsible for water shut offs. The County has indicated they would perform this function at our request.

Addressing the City Council and responding to questions regarding the matter was Manual Lopez, Deputy Director of Public Works, San Joaquin County.

Following discussion, on motion of Council Member Sieglock, Pennino second, the City Council denied the request.

REPORT ON CITY OF LODI
NEPOTISM POLICY

CC-34

The City Council was advised that the City of Lodi has had a nepotism resolution in one form or another in place for several years. The most recent resolution was adopted July 11, 1990. It replaced a resolution adopted in 1985. The 1985 version was too narrow in some respects and not broad enough in others. It applied only to relatives of the City Manager and employees of both the City Manager's office and the Personnel Office. The application of that policy would have prohibited the appointment of a new police officer whose sister, for example, held a clerical position in the Personnel Office. That restriction would not have survived any kind of judicial review. The narrowness and the omissions of this resolution brought about the adoption of the 1990 version. This current resolution provides for the expansion of restriction on the hiring of relatives to include City Council Members, Board and Commission members, the City Attorney and the Assistant City Manager. The latter two are specifically included because each play key roles in the disciplinary process which is applicable to employees in all departments.

The existing resolution provides in part that, "The City of Lodi shall prohibit the initial appointment to a position within the City of Lodi of any person or employee who has the status of marital or familial relationship with the Lodi City Manager, Assistant City Manager, City Attorney, or Personnel Director, members of the City Council and in the case of Library employees, members of the Library Board or the City Librarian. Further, the City will prohibit the employment in that Department of any person who has status of marital or familial relationship with the Department Head or Advisory Board to that Department."

Mr. Robert Johnson, the current chairman of the Parks and Recreation Commission, has questioned this policy in a

letter read to the City Council at its regular meeting of April 3, 1991. He has two sons who are now, and have for several summer seasons, been employed in part-time positions in the Parks and Recreation Department. Mr. Johnson's main point is that since his sons were already working for the City before his appointment to the Parks and Recreation Commission, his sons should be "grandfathered" and thus able to retain their part-time positions while Mr. Johnson serves on the Commission.

While not specifically addressed in the resolution, the flip side of this matter is that the City Council is prohibited from appointing a citizen to a board or commission if that person has a relative working in a department which has a direct relationship to that board or commission.

Following a lengthy discussion with questions being directed to the City Attorney and to staff, the City Council on motion of Council Member Snider, Pinkerton second, indicated its desire to remove advisory boards from the City's present policy and directed the City Attorney to bring back an amended resolution at the May 1, 1991 City Council meeting for Council consideration.

REPORT REGARDING ALMOND DRIVE
STREET IMPROVEMENTS, 452 AND 458
ALMOND DRIVE, LODI

CC-16
CC-45(e)

The City Council was reminded that at its February 20, 1991 meeting, it received a letter from the property owner at 458 Almond Drive. This parcel is one of the last two parcels on the portion of Almond Drive within the City limits that does not have frontage improvements. During the past year, staff has had a number of discussions with the property owner regarding street improvements in connection with an application for a building addition and use permit. The project would have required the owner to do the improvements under the terms of the City's off-site improvement ordinance. Since then, the application has been dropped.

This street improvement project has been shown on the Street Five-Year Capital Improvement Program with funding for the curb and gutter tentatively shown in 1991/92 and an overlay in 1992/93. Five feet of right-of-way would need to be acquired in order to install sidewalk. The City cannot ask the property owner to dedicate the right-of-way without stating that we must pay for it if requested. Doing so would involve obtaining appraisals and paying possible severance damages. If both property owners were to offer to dedicate the right-of-way, it would be a reasonable use of public funds for the City to install all the improvements. In the absence of such an offer, staff

recommends that we consider the project with the rest of the 1991/92 Street Capital Improvement Program.

Mrs. Carmelita P. Pineda, 458 Almond Drive, Lodi addressed the City Council regarding the matter and responded to questions as were posed by the City Council.

Mrs. Pineda indicated that both property owners would be willing to offer to dedicate the right-of-way.

No formal action was taken regarding the matter.

LOWER SACRAMENTO ROAD, WOODBRIDGE
IRRIGATION DISTRICT CANAL TO LODI
AVENUE (SARGENT ROAD) - PARKING OF VEHICLES

RESOLUTION NO. 91-75

CC-16 At the request of the City Council, the Public Works
CC-48(a) Department has prepared the following information regarding
CC-48(e) vehicles for sale parked on the west side of Lower
Sacramento Road between the WID canal and Lodi Avenue.

In the past, the City adopted an ordinance that regulated the display of vehicles for sale on all public streets; however, this ordinance was found to be unconstitutional and was therefore rescinded.

Another less restrictive ordinance (Lodi Municipal Code Section 10.44.040) was then adopted which prohibited parking vehicles for sale within 200 feet of any signalized or four-way stop intersection.

Staff continued to receive complaints regarding vehicles for sale along Lower Sacramento Road, especially at Park West Drive. To resolve this problem, "No Parking" zones were established on both sides of Lower Sacramento Road from Lodi Avenue to Turner Road at all of the probable problem locations. These "No Parking" zones corrected the problem north of Lodi Avenue but may have displaced the vehicles for sale to south of Lodi Avenue in front of Raley's Supermarket.

Available accident records from 1987 to the present indicate that one of seven accidents occurring at this location was the type that could have been related to parked vehicles, although no mention of this was made in the accident report. This 1990 accident involved a driver exiting Raley's parking lot that was struck by a southbound vehicle. Traffic volume counts performed on Lower Sacramento Road south of Lodi Avenue in 1988 are approximately 11,400 vehicles per day. The posted speed on Lower Sacramento Road is 45 miles per hour. Traffic control at the intersection of Lower Sacramento Road at

Lodi Avenue is currently provided by a four-way stop. However, a traffic signal at this intersection is under construction.

Discussion

Staff has verified the large number of vehicles for sale parked at this location but has no practical solution to this problem. In addition to vehicles for sale, trucks use the area, often for many days. Complaints include pollution and noise from idling trucks. If parking is restricted at this location, past experience indicates that these vehicles will most likely move across the street or to another location. If Council allows these vehicles to remain at this location, they may wish to direct staff to install 200-foot "No Parking" zones on Lower Sacramento Road adjacent to the intersection as provided for per the Lodi Municipal Code.

Addressing the City Council regarding the matter were:

- a) Walter Pruss, 2421 Diablo Drive, Lodi;
- b) Al Furr, 2420 Diablo Drive, Lodi; and
- c) Lee Furr, 2420 Diablo Drive, Lodi

Following a lengthy discussion, on motion of Council Member Pinkerton, Pennino second, the City Council adopted Resolution No. 91-75 establishing "No Parking" zones on the east and west side of Lower Sacramento Road between the Woodbridge Irrigation District (WID) canal and Lodi Avenue (Sargent Road).

SAN JOAQUIN COUNTY SUBSTANCE
ABUSE GRANT APPLICATION APPROVED

RESOLUTION NO. 91-73

CC-7(b)
CC-105

The City Council was advised that the San Joaquin County Office of Substance Abuse is preparing a grant application to be submitted to the Office of Substance Abuse Programs, a division of the Federal government's Department of Health Service, in the amount of \$445,427 to fund a five-year planning program. The City of Lodi is being asked to both support the filing of this application and to agree to participate as a partner member of the San Joaquin Substance Abuse Partnership (Community Coalition).

Barbara Walker, Planning Coordinator of the San Joaquin County Office of Substance Abuse was in the audience and responded to questions as were posed.

Continued April 17, 1991

Following a lengthy discussion, on motion of Council Member Snider, Hinchman second, the City Council adopted Resolution No. 91-73 supporting the filing of an application for Federal grant funds to be submitted by the San Joaquin Office of Substance Abuse to combat drugs and alcohol abuse in this county, and approved City participation in the proposed Community Coalition. The motion carried by the following vote:

Ayes: Council Members - Pennino, Pinkerton, Sieglock, and Snider

Noes: Council Members - Hinchman

Absent: Council Members - None

ORDINANCES

LODI MUNICIPAL CODE AMENDED -
CHAPTER 13.08 WATER SERVICE -
ARTICLE III - WASTE

ORDINANCE NO. 1509 ADOPTED

CC-183(d)
CC-149

Ordinance No. 1509 entitled, "An Ordinance of the Lodi City Council Amending Lodi Municipal Code Chapter 13.08 - Water Service - Article III - Waste" having been introduced at a regular meeting of the Lodi City Council held April 3, 1991 was brought up for passage on motion of Council Member Sieglock, Snider second. Second reading of the ordinance was omitted after reading by title, and the ordinance was then adopted and ordered to print by a unanimous vote of the City Council.

LODI MUNICIPAL CODE AMENDED -
CHAPTER 13.12.195 ENTITLED
"DOWNTOWN BUSINESS DISTRICT
CONNECTION FEES"

ORDINANCE NO. 1511 ADOPTED

CC-14
CC-16
CC-44
CC-51
CC-56
CC-149

Ordinance No. 1511 entitled, "An Ordinance of the Lodi City Council Amending Lodi Municipal Code Chapter 13.12.195 entitled 'Downtown Business District Connection Fees'" having been introduced at a regular meeting of the Lodi City Council held April 3, 1991 was brought up for passage on motion of Council Member Sieglock, Pennino second. Second reading of the ordinance was omitted after reading by title, and the ordinance was then adopted and ordered to print by a unanimous vote of the City Council.

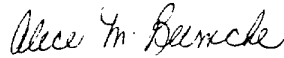
Continued April 17, 1991

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ADJOURNMENT

There being no further business to come before the City Council, Mayor Hinchman adjourned the meeting at approximately 11:50 p.m.

ATTEST:



Alice M. Reimche
City Clerk